

**Virginia Soil and Water Conservation Board
September 16, 2010 – 9:30 a.m.
General Assembly Building, Senate Room A
Richmond, Virginia**

DRAFT MINUTES

Virginia Soil and Water Conservation Board Members Present

Susan Taylor Hansen, Chair
David A. Johnson, Director
Darlene Dalbec
Jerry L. Ingle
Stephen Lohr

Raymond L. Simms, Vice Chair
Frank Blake, Jr.
Gary Hornbaker
Daphne W. Jamison

Virginia Soil and Water Conservation Board Members Not Present

John A. Bricker, NRCS, Ex Officio
C. Frank Brickhouse, Jr.

DCR Staff Present

Robert Bennett
Ryan J. Brown
Michael R. Fletcher
John McCutcheon

Timothy J. Bishton
David C. Dowling
Lee Hill
Mark B. Meador

Others Present

Wilkie Chaffin, VASWCD
Kendall Tyree, VASWCD

Call to Order and Introductions

Chairman Hansen called the meeting to order. She thanked members for the opportunity to serve as Board Chair. She welcomed Mr. Lohr as the newest member of the Board.

Chairman Hansen called for nominees for the position of Board Vice Chair.

Mr. Ingle moved that Mr. Simms be elected Vice Chairman. Ms. Dalbec seconded. There were no further nominations and Mr. Simms was unanimously elected.

Approval of Minutes from July 15, 2010

MOTION: Mr. Simms moved that the minutes of the July 15, 2010 meeting of the Virginia Soil and Water Conservation Board be approved as submitted by staff.

SECOND: Mr. Hornbaker

DISCUSSION: None

VOTE: Motion carried with Ms. Hansen abstaining

Director's Report

Mr. Johnson gave the Director's report. He said that it had been a very busy two months for the Department.

Mr. Johnson introduced Robert Bennett as the new Director of the Division of Dam Safety and Floodplain Management.

Mr. Johnson said that he would like to adjust the meeting schedule to a quarterly basis as opposed to bi-monthly. He said that if that did not prove to be sufficient time, then the schedule could be changed again or additional meetings could be called as necessary.

Mr. Johnson said that since the last meeting the Department had submitted the Chesapeake Bay Watershed Implementation Plan that is to be a part of the Chesapeake Bay TMDL. The state submitted the plan to EPA on September 3. The WIP is available for review on the DCR website.

The plan addresses five source areas for nutrient pollution: forestry, urban stormwater, agriculture, point source (wastewater treatment), and on-site septic systems.

Mr. Johnson said that TMDL is the total daily maximum load. He said the TMDL will address how reductions of nutrient and sediment loadings will be dealt with. He noted that the charge from the EPA was not to address a daily load but to strictly look at it on an annual basis.

Mr. Johnson said that the WIP will be published in the Federal Register for a 45-day public comment period. After that time DCR will take into consideration the public comment and EPA comment to address changes to the draft plan.

The final TMDL will be released in December. However, due to modifications to the EPA computer model, there will need to be modifications to the TMDL in 2011.

Mr. Johnson said that with regard to the stormwater regulations DCR had established a Regulatory Advisory Panel. That panel met on July 23 and September 15. The panel has also subdivided into committees to address specific areas of concern.

REVISED: 11/10/2010

Ms. Hansen asked when the Board would again be addressing the issue.

Mr. Johnson said that would likely be at the May meeting. He noted that the Board was welcome and encouraged to participate in any of the public meetings.

Division Director's Report

Mr. Meador gave the Division Director's report. A copy of that report is included as Attachment #1.

Ms. Jamison suggested that with regard to the Conservation Partner Employee Development these classes could be included for certification requirements.

Mr. Meador said that they could also be incorporated into the criteria for operational funds.

Briefing on State Travel Policies

Mr. Bishton gave a briefing on State Travel Policies. A copy of Mr. Bishton's presentation is available from DCR.

Dam Safety Certificates and Permits

Mr. Bennett presented the Dam Safety Certificates and Permits.

Regular Certificates

Mr. Bennett presented the Regular Certificate Recommendations. He noted that the Director should abstain from voting with regard to Fairy Stone Dam.

Dams presented for consideration were:

Carter's Pond Dam	08541	HANOVER	6 Year Regular
Walden's Pond Dam	08544	HANOVER	6 Year Regular
Lake Madison Dam	09905	KING GEORGE	6 Year Regular
Fairy Stone Dam	14103	PATRICK	6 Year Regular
Garland Millpond Dam	15902	RICHMOND	6 Year Regular

MOTION: Ms. Dalbec moved that the Virginia Soil and Water Conservation Board approve the Regular Operation & Maintenance Certificate Recommendations as presented by Dam Safety staff and that staff

REVISED: 11/10/2010

be directed to communicate the Board action to the affected dam owners.

SECOND: Ms. Jamison

DISCUSSION: None

VOTE: Motion carried with Mr. Johnson abstaining

Conditional Certificates

Mr. Bennett submitted the list of Conditional Certificate recommendations. He noted that Mr. Johnson should abstain from voting with regard to the Edmunds Lake Dam.

Dams presented for consideration were:

South River Dam #24	01513	AUGUSTA	1 Year Conditional
Camp Shenandoah Dam	01515	AUGUSTA	1 Year Conditional
Lakewood Dam	03105	CAMPBELL	1 Year Conditional
Lakeland Dam	03111	CAMPBELL	1 Year Conditional
Lake Nice Dam	09527	JAMES CITY	1 Year Conditional
Louisa Dam	10903	LOUISA	1 Year Conditional
White Oak Run Dam	11301	MADISON	1 Year Conditional
Brushy Mountain Club Dam	14321	PITTSYLVANIA	1 Year Conditional
Edmunds Lake Dam	14339	PITTSYLVANIA	1 Year Conditional

MOTION: Mr. Simms moved that the Virginia Soil and Water Conservation Board approve the Conditional Operation and Maintenance Certificate recommendations as presented by Dam Safety staff and that staff be directed to communicate this action to the affected dam owners.

SECOND: Mr. Blake

DISCUSSION: None

VOTE: Motion carried with Mr. Johnson abstaining

Construction and Alteration Permits

Mr. Bennett presented the Permit recommendations. Dams being considered for permits were:

Lake Vista Dam	01921	BEDFORD	1 Year Alteration
Cranston Millpond Dam	05913	JAMES CITY COUNTY	2 Year Alteration

MOTION: Ms. Dalbec moved that the Virginia Soil and Water Conservation Board approve the Permit Recommendations as presented by Dam Safety staff and that staff be directed to communicate the Board actions to the affected dam owners.

SECOND: Mr. Simms

DISCUSSION: None

VOTE: Motion carried unanimously

Extensions

Mr. Bennett presented the Extension recommendations. He noted that the list was particularly long due to Board action in March giving extensions to a significant number of dams.

Mr. Bennett noted that most recommendations were for a two month extension with the exception of Rainbow Forest Dam which was being recommended for a four month extension. He noted that Rainbow Forest had been ordered by the Board in January to drain the water behind the dam. While that has not been done, trees have been removed from the base of the dam. In addition a new community Board has been elected. He said that he believed staff could work with the dam owners to resolve outstanding issues.

Mr. Bennett noted that Ms. Jamison should abstain from voting regarding the three dams owned by the Blue Ridge Soil and Water Conservation District.

Dams recommended for extensions were:

Beaver Creek Lake Dam #1	00301	ALBEMARLE	1 Year Extension
Chisholm Upper Farm Dam	00347	ALBEMARLE	1 Year Extension
South River Dam #10A	01504	AUGUSTA	1 Year Extension
Upper North River Dam #10	01505	AUGUSTA	2 Year Extension
South River Dam #6	01509	AUGUSTA	2 Year Extension
South River Dam #19	01514	AUGUSTA	2 Year Extension
Evergreen Lake Dam	01911	BEDFORD	1 Year Extension
Boonsboro Country Club Dam	01934	BEDFORD	1 Year Extension
Crab Orchard Creek Dam	02102	BLAND	1 Year Extension
Rainbow Forest Dam	02303	BOTETOURT	4 Month Extension
Willis River Dam #1A	02901	BUCKINGHAM	1 Year Extension

Willis River Dam #1B	02902	BUCKINGHAM	1 Year Extension
Willis River Dam #7	02909	BUCKINGHAM	1 Year Extension
Willis River Dam #2	02919	BUCKINGHAM	1 Year Extension
Ladysmith Lake Dam	03350	CAROLINE	1 Year Extension
Johns Creek Dam #2	04501	CRAIG	2 Year Extension
Johns Creek Dam #4	04504	CRAIG	2 Year Extension
Pohick Creek Dam #8	05907	FAIRFAX	1 Year Extension
Lake Fairfax Dam	05910	FAIRFAX	1 Year Extension
Pohick Creek Dam #2	05923	FAIRFAX	1 Year Extension
Pohick Creek Dam #3	05928	FAIRFAX	1 Year Extension
Kingstowne Lake Dam	05932	FAIRFAX	1 Year Extension
Springhill Farm Dam	06111	FAUQUIER	1 Year Extension
Barr Dam	06113	FAUQUIER	1 Year Extension
Cove Lake Dam #1	06905	FREDERICK	1 Year Extension
Cove Lake Dam #2	06911	FREDERICK	1 Year Extension
Lake Holiday Dam	06914	FREDERICK	2 Year Extension
Fye Dam	08320	HALIFAX	1 Year Extension
Lake Overton Dam	08714	HENRICO	1 Year Extension
Leatherwood Creek Dam #5	08902	HENRY	2 Year Extension
Leatherwood Creek Dam #3	08904	HENRY	2 Year Extension
Leatherwood Creek Dam #6	08901	HENRY	1 Year Extension
Golden Eagle Dam	10304	LANCASTER	1 Year Extension
Daley Dam	10709	LOUDOUN	1 Year Extension
Ponde Roachea Dam	10920	LOUISA	1 Year Extension
Gordonsville Dam	10923	LOUISA	1 Year Extension
Willow Ridge Dam	10939	LOUISA	1 Year Extension
Beautiful Run Dam #5	11304	MADISON	1 Year Extension
Beautiful Run Dam #11	11308	MADISON	1 Year Extension
Malvern Dam	11311	MADISON	1 Year Extension
Black Fox Hills Dam	12513	NELSON	1 Year Extension
Black Creek Impoundment	12514	NELSON	1 Year Extension
Grymes Mill Dam	13704	ORANGE	1 Year Extension
Spring Vale Dam	13714	ORANGE	1 Year Extension
Dry Run Dam #101	13902	PAGE	1 Year Extension
Squall Creek Dam	14104	PATRICK	1 Year Extension
Camp Shawnee Lake Dam	14315	PITTSYLVANIA	1 Year Extension
Bush River Dam #5	14739	PRINCE EDWARD	1 Year Extension
Bush River Dam #6	14740	PRINCE EDWARD	1 Year Extension
T. Nelson Elliott Dam	15302	PRINCE WILLIAM	2 Year Extension
Omisol Dam	15307	PRINCE WILLIAM	1 Year Extension
Laurel Bed Dam	16701	RUSSELL	1 Year Extension
Stoney Creek Dam #10	17102	SHENANDOAH	1 Year Extension
Wilderness Dam	17707	SPOTSYLVANIA	1 Year Extension
Fawn Lake Dam	17709	SPOTSYLVANIA	1 Year Extension

Grant Lake Dam	17711	SPOTSYLVANIA	1 Year Extension
Hazel Grove Dam	17717	SPOTSYLVANIA	1 Year Extension
Upper Clinch River Dam #8	18501	TAZEWELL	1 Year Extension
Apple Mountain Lake Dam	18709	WARREN	1 Year Extension
Apple Mountain Lake Dam	18711	WARREN	1 Year Extension
Bens Branch Dam	19509	WISE	1 Year Extension
Bear Creek Dam	19511	WISE	1 Year Extension
Newman Lake Dam	66001	HARRISONBURG	1 Year Extension
Stumpy Lake Dam	81003	VIRGINIA BEACH	1 Year Extension

MOTION: Mr. Lohr moved that the Virginia Soil and Water Conservation Board approve the extension recommendations as presented by Dam Safety staff and that staff be directed to communicate this action to the affected dam owners.

SECOND: Mr. Simms

DISCUSSION: None

VOTE: Motion carried with Ms. Jamison abstaining

Enforcement Actions

Mr. Bennett gave an update regarding enforcement actions. There was no Board action necessary.

Erosion and Sediment Control

Mr. Hill presented the Erosion and Sediment Control items.

Approval of 2011 Annual Standards and Specifications for Wetlands Banks and Stream Restoration Banks for Wetlands Studies and Solutions, Inc.

MOTION: Ms. Dalbec moved the following:

The Virginia Soil and Water Conservation Board (Board) receives the staff update concerning the review of the 2011 annual standards and specifications for wetland and stream restoration bank construction by Wetland Studies and Solutions, Inc. The Board concurs with staff recommendations for conditional approval of the 2011 specifications for Wetland Studies and Solutions, Inc., in accordance with the Erosion and Sediment Control Law. The Board requests the Director to have staff notify

Wetland Studies and Solutions, Inc. of the status of the review and the conditional approval of the annual standards and specifications.

The four items for conditional approval are:

1. A revised list of all proposed projects planned for construction for 2011 must be submitted by January 1, 2011. The following information must be submitted for each project:
 - Project name (or number)
 - Project location (including nearest major intersection)
 - On-site project manager name and contact information
 - Project description
 - Acreage of disturbed area for project
 - Project start and finish dates
2. Project information unknown prior to January 1, 2011 must be provided to DCR two (2) weeks in advance of land disturbing activities by e-mail at the following address:
MitigationBank@dcr.virginia.gov.
3. Notify DCR of the Responsible Land Disturber (RLD) at least two (2) weeks in advance of land disturbing activities by e-mail at the following address: MitigationBank@dcr.virginia.gov. The information to be provided is name, contact information and certification number.
4. Install and maintain all erosion and sediment control practices in accordance with the 1992 Virginia Erosion and Sediment Control Handbook. Variance to Minimum Standard 6.a and 6.b. is granted such that the project may employ constructed wetland cells as sediment trapping measures in lieu of sediment traps or basins. The constructed wetland cell shall be surrounded by a berm approximately one (1) foot in height with an outlet structure designed to ensure discharges at non-erosive velocities. Storage provided by the wetland cells shall exceed that specified by Minimum Standard 6.

SECOND: Mr. Ingle

DISCUSSION: None

VOTE: Motion carried unanimously

REVISED: 11/10/2010

Final Approval of Alternative Inspection Program for Botetourt County

MOTION: Mr. Simms moved that the Virginia Soil and Water Conservation Board approve the proposed Alternative Inspection Program for Botetourt County as being consistent with the requirements of the Erosion and Sediment Control Law and Regulations and further that the Board request the Department of Conservation and Recreation staff to monitor the implementation of the alternative inspection program by the County to ensure compliance with the approved program.

SECOND: Mr. Blake

DISCUSSION: None

VOTE: Motion carried unanimously

Local Programs to be found consistent following completion of Corrective Action Agreement (CAA)

MOTION: Mr. Lohr moved that the Board approve the following motions in one action:

The Virginia Soil and Water Conservation Board commends Botetourt County for successfully improving the County's Erosion and Sediment Control Program to become fully consistent with the requirements of the Virginia Erosion and Sediment Control Law and Regulations, thereby providing better protection for Virginia's soil and water resources.

The Virginia Soil and Water Conservation Board commends King William County for successfully improving the County's Erosion and Sediment Control Program to become fully consistent with the requirements of the Virginia Erosion and Sediment Control Law and Regulations, thereby providing better protection for Virginia's soil and water resources.

SECOND: Mr. Blake

DISCUSSION: None

VOTE: Motion carried unanimously

Mr. Hill said that the Department was slowly ending the CAA process for the last cycle. He said that staff was working on recommended changes to the Program Review Criteria for the next cycle.

*Local Programs previously found inconsistent and request for Board to extend
Corrective Action Agreement (CAA)*

Mr. Hill gave the background for Lee County.

The Virginia Soil and Water Conservation Board approved Lee County's Corrective Action Agreement (CAA) with a completion date of May 20, 2010. At the direction provided by the Board, Department of Conservation and Recreation staff reviewed Lee County's progress on implementing the CAA. Based on the results of the review, the staff has determined that the County has not achieved compliance with the CAA. DCR staff recommends that Lee County be given until March 17, 2011 to comply with the outstanding CAA.

MOTION: Ms. Jamison moved that the Virginia Soil and Water Conservation Board accept the staff recommendations and grants Lee County an extension until March 17, 2011 to fully comply with the outstanding CAA and further that the Board request that the Director of DCR and his staff evaluate the County's compliance with the outstanding CAA and provide a report at the May 2011 Board meeting.

SECOND: Mr. Lohr

DICSCUSSION: None

VOTE: Motion carried unanimously.

Mr. Hill gave the background for Northumberland County.

The Virginia Soil and Water Conservation Board (Board) approved Northumberland County's Corrective Action Agreement (CAA) with a completion date of May 20, 2010. At the direction provided by the Board, Department of Conservation and Recreation (DCR) staff reviewed Northumberland County's progress on implementing the CAA. Based on the results of the review, the staff has determined that the County has not achieved compliance with the CAA. DCR staff recommends that Northumberland County be given until March 17, 2011 to comply with the outstanding CAA.

MOTION: Mr. Ingle moved that the Virginia Soil and Water Conservation Board accept the staff recommendations and grants Northumberland County an extension until March 17, 2011 to fully comply with the outstanding CAA and further that the Board request that the Director of DCR and his staff evaluate the

County's compliance with the outstanding CAA and provide a report at the May 2011 Board meeting.

SECOND: Ms. Jamison

DISCUSSION: None

VOTE: Motion carried unanimously

Mr. Hill gave the background for Spotsylvania County.

The Virginia Soil and Water Conservation Board (Board) approved Spotsylvania County's Corrective Action Agreement (CAA) with a completion date of May 18, 2010. At the direction provided by the Board, Department of Conservation and Recreation (DCR) staff reviewed Spotsylvania County's progress on implementing the CAA. Based on the results of the review, the staff has determined that the County has not achieved compliance with the CAA. DCR staff recommends that Spotsylvania County be given until March 17, 2011 to comply with the outstanding CAA.

MOTION: Mr. Lohr moved that the Virginia Soil and Water Conservation Board accept the staff recommendations and grants Spotsylvania County an extension until March 17, 2011 to fully comply with the outstanding CAA and further that the Board request that the Director of DCR and his staff evaluate the County's compliance with the outstanding CAA and provide a report at the May 2011 Board meeting.

SECOND: Mr. Simms

DISCUSSION: None

VOTE: Motion carried unanimously

Mr. Hill gave the background for the City of Petersburg.

The Virginia Soil and Water Conservation Board (Board) approved the City of Petersburg's Corrective Action Agreement (CAA) with a completion date of Jan 21, 2010. At the direction provided by the Board, Department of Conservation and Recreation (DCR) staff reviewed the City of Petersburg's progress on implementing the CAA. Based on the results of the review, the staff has determined that the City has not achieved compliance with the CAA. DCR staff recommends that the City be given until March 17, 2011 to comply with the outstanding CAA.

Mr. Blake asked if there were another option to extending the deadline.

Mr. Hill said that the Board had the option of not extending the deadline and finding the locality to be not consistent with the Erosion and Sediment Control Law. The Board could also assess a penalty.

Ms. Hansen said that staff works to see if goals can be met before taking such action.

Mr. Dowling said that usually staff can work with the locality toward resolution. He said that the alternatives are a significant step. He suggested that staff prepare a briefing on enforcement options for the next meeting.

Mr. Johnson asked if there were options to take the program back.

Mr. Hill said that the program would revert to the Soil and Water Conservation District.

MOTION: Mr. Simms moved that the Virginia Soil and Water Conservation Board accepts the staff recommendations and grants the City of Petersburg an extension until March 17, 2011 to fully comply with the outstanding CAA and further that the Board request that the Director of DCR and his staff evaluate the City's compliance with the outstanding CAA and provide a report at the May 2011 Board meeting.

SECOND: Mr. Lohr

DISCUSSION: None

VOTE: Motion carried unanimously

Mr. Hill presented the background for the Town of West Point.

The Virginia Soil and Water Conservation Board (Board) approved the Town of West Point's Corrective Action Agreement (CAA) with a completion date of July 15, 2010. At the direction provided by the Board, Department of Conservation and Recreation (DCR) staff reviewed the Town of West Point's progress on implementing the CAA. Based on the results of the review, the staff has determined that the Town has not achieved compliance with the CAA. DCR staff recommends that the Town be given until March 17, 2011 to comply with the outstanding CAA.

MOTION: Ms. Jamison moved that the Virginia Soil and Water Conservation Board accept the staff recommendations and grants the Town of West Point an extension until March 17, 2011 to fully comply with the outstanding CAA and further that the Board request that the Director of DCR and his staff evaluate the Town's compliance with the outstanding CAA and provide a report at the May 2011 Board meeting.

SECOND: Ms. Dalbec
DISCUSSION: None
VOTE: Motion carried unanimously

Local Soil and Water Conservation District Operations

Mr. Meador presented the Soil and Water Conservation District Director resignations and appointments.

Colonial

Resignation of James Orband, York County, effective 6/30/10, appointed Extension Agent director position (term of office expires 1/1/13).

Recommendation of Daniel Nortman, York County, to fill unexpired Extension Agent term of James Orband (term of office to begin on or before 10/16/10 – 1/1/13).

Hanover-Caroline

Resignation of McGann Saphir, Caroline County, effective 6/30/10, appointed Extension Agent position (term of office expires 1/1/13).

Recommendation of Rita Schalk, Hanover County, to fill unexpired Extension Agent term of McGann Saphir (term of office to begin on or before 10/16/10 – 1/1/13).

Recommendation of McGann Saphir, Caroline County, to fill unexpired elected term of William Orrock (deceased) (term of office to begin on or before 10/16/10 – 1/1/12).

Headwaters

Resignation of Brian Jones, Augusta County, effective 6/4/10, appointed Extension Agent director position (term of office expires 1/1/13).

Recommendation of Jason Carter, Augusta County, to fill unexpired Extension Agent term of Brian Jones (term of office to begin on or before 10/16/10 – 1/1/13).

Natural Bridge

Resignation of Jonathan Repair, Rockbridge County, effective 6/30/10, appointed Extension Agent director position (term of office expires 1/1/13).

Recommendation of Thomas Stanley, Rockbridge County, to fill unexpired Extension Agent term of Jonathan Repair (term of office to begin on or before 10/16/10 – 1/1/13).

Prince William

Resignation of Matthew Brooks, Prince William County, effective 9/15/10, elected director position (term of office expires 1/1/12).

Recommendation of Robert P. Shiner, Prince William County, to fill unexpired elected term of Matthew Brooks (term of office to begin on or before 10/16/10 – 1/1/12).

Tri-County/City

Resignation of John E. Howe, Spotsylvania County, effective 6/23/10, appointed Extension Agent director position (term of office expires 1/1/13).

MOTION: Mr. Ingle moved that the Virginia Soil and Water Conservation Board approve the list of Soil and Water Conservation District Directors resignations and appointments as presented by staff.

SECOND: Mr. Hornbaker

DISCUSSION: None

VOTE: Motion carried unanimously

Mr. Ingle noted that the Daniel Boone SWCD has a vacancy for the extension agent position.

Mr. Meador said that Lee County did not currently have an extension agent. He said that his understanding was that the extension agent from Scott County would be asked to serve on the Daniel Boone SWCD. He said that he had not received documentation to that effect at this meeting and that it would be addressed in November.

Mr. Ingle said that would limit the extension agent's availability to attend SWCD meetings if he served on both SWCDs.

Mr. Meador said that the Code of Virginia specified that an extension agent would be on each District Board. He acknowledged that as problematic because each jurisdiction did not always have an extension agent.

REVISED: 11/10/2010

Mr. Meador presented a second list of recommendations for at large appointments.

Appomattox River	Daniel S. Repp Dinwiddie	Alvin Blaha Dinwiddie
Big Sandy	Bobby E. O'Quin Buchanan	Bobby E. O'Quin Buchanan
Blue Ridge	G. Dan Pace Henry	G. Dan Pace Henry
Chowan Basin	Walter W. Robinson, Jr. Greensville	Walter W. Robinson, Jr. Greensville
Clinch Valley	Michael G. Altizer Russell	Michael G. Altizer Russell
Colonial	Charles Hill Carter, III Charles City	Charles Hill Carter, III Charles City
Culpeper	John H. Boldridge Culpeper	
Daniel Boone	Ernest L. Whitt Lee	Ernest L. Whitt Lee
Eastern Shore	Richard F. Hall, III Accomack	William Davis Lovell Accomack
Evergreen	Preston Richardson Smyth	Seth Umbarger Smyth
Halifax	S. Baxter Wilson Halifax	S. Baxter Wilson Halifax
Hanover-Caroline	Park A. Dodd, Jr. Caroline	Park A. Dodd, Jr. Caroline
Headwaters	Richard M. Shiflet Augusta	Richard M. Shiflet Augusta
Henricopolis	Gatewood H. Stoneman Henrico	Gatewood H. Stoneman Henrico
Holston River	David C. Johnson	David C. Johnson

	Washington	Washington
James River	William D. Kreider Prince George	William D. Kreider Prince George
John Marshall	Mary Lou Trimble Fauquier	Mary Lou Trimble Fauquier
Lake County	Henry D. Rice Brunswick	Henry D. Rice Brunswick
Lonesome Pine	Glenn F. Graham Dickenson	Glenn F. Graham Dickenson
Lord Fairfax	M. Lauck Walton, III Shenandoah	M. Lauck Walton, III Shenandoah
Loudoun	James B. Christian Loudoun	James B. Christian Loudoun
Monacan	Janis E. Ranck Powhatan	Janis E. Ranck Powhatan
Mountain	Ellen Ford Bath	Ellen Ford Bath
Mountain Castles	John D. Seibel Botetourt	John D. Seibel Botetourt
Natural Bridge	Ward H. Robens City of Buena Vista	Ward H. Robens City of Buena Vista
New River	Betty Whittaker Carroll	Betty Whittaker Carroll
Northern Neck	James E. Minor Westmoreland	James E. Minor Westmoreland
Northern Virginia	Jean R. Packard Fairfax	Jean R. Packard Fairfax
Patrick	Lemlie H. Coms Patrick	George H. Stovall Patrick
Peaks of Otter	Thomas Watson Bedford	Thomas Watson Bedford

Peanut	Carey M. Copeland City of Suffolk	Carey Mr. Copeland City of Suffolk
Peter Francisco	Barbara J. Teeple Buckingham	Barbara J. Teeple Buckingham
Piedmont	Juan Whittington Amelia	Juan Whittington Amelia
Pittsylvania	Aubrey R. Pritchett Pittsylvania	
Robert E. Lee	Calvin Johnson City of Lynchburg	Erin B. Hawkins Campbell
Scott County	Delta Purkey Scott	Delta Purkey Scott
Shenandoah Valley	Julian Price Page	Julian Price Page
Skyline	Charles P. Shorter Montgomery	Charles P. Shorter Montgomery
Southside	Catherine J. Garnett Charlotte	Catherine J. Garnett Charlotte
Tazewell	James H. Durham Tazewell	James H. Durham Tazewell
Thomas Jefferson	Susan Swales Fluvanna	Susan Swales Fluvanna
Three Rivers	Roland B. Geddes Essex	Roland B. Geddes Essex
Tidewater	Tyler Crittendon Middlesex	Tyler Crittendon Middlesex
Tri-County/City	Gregory L. Cebula Spotsylvania	Richard Street Spotsylvania
Virginia Dare	Herbert L. Powers City of Virginia Beach	Herbert L. Powers City of Virginia Beach

MOTION: Mr. Ingle moved that the Virginia Soil and Water Conservation Board approve the list of at large District Director appointments as submitted by staff.

SECOND: Mr. Simms

DISCUSSION: None

VOTE: Motion carried unanimously

Approval of Lake Barcroft WID Trustee Appointment

Mr. Meador presented the request from the Northern Virginia Soil and Water Conservation District concerning the appointment of Gerald Mendenhall as a trustee of the Lake Barcroft WID Board of Trustees.

MOTION: Mr. Lohr moved that the Virginia Soil and Water Conservation Board accept the resignation of Lake Barcroft WID trustee Pete Silva and approve the appointment of Gerald Mendenhall to serve a 5-year term as a trustee of the Lake Barcroft WID.

SECOND: Ms. Dalbec

DISCUSSION: None

VOTE: Motion carried unanimously

Partner Reports

Virginia Association of Soil and Water Conservation Districts

Mr. Chaffin gave the report for the VASWCD. He noted that the need for extension agent appointments was a problem for Districts.

Mr. Chaffin said that Virginia performed well at the national Envirothon competition.

The Association is holding a teacher workshop in Harrisonburg on October 26.

Mr. Chaffin said that the VASWCD Annual Meeting would be in December at the Omni Hotel in Richmond.

Mr. Simms asked about local districts and their ability to fund the Association needs.

Mr. Chaffin said that funding was a problem. He said some districts have indicated they are unable to pay Association dues. He said that in his view the General Assembly was not providing the funding necessary for districts to operate.

Ms. Jamison expressed concern regarding additional requirements from NRCS that are added after the annual agreement is established.

Ms. Hansen said that could be a specific item to address when NRCS was represented.

Public Comment

There was no public comment.

Adjourn

There was no further business and the meeting was adjourned.

Respectfully submitted,

Susan Taylor Hansen
Chairman

David A. Johnson
Director

Attachment #1

Department of Conservation and Recreation
Report to the Virginia Soil and Water Conservation Board
September 16, 2010

1. DCR/SWCD Operational Funding: All 47 SWCDs were issued a grant agreement with DCR in May, 2010 for operational funding this fiscal year (FY11). Each has returned a fully endorsed agreement to their CDC. Each has been issued 25% of the approved operational funding for FY11. At the outset of this fiscal year (FY11), operational funding for all districts totals \$3,186,573. This amount reflects a decrease below the peak funding level experienced by districts in FY01 (\$4,301,000). However, over two thirds of the 47 districts are also receiving this fiscal year, funds that total \$1,712,500 to employ conservation specialists for the implementation of agricultural BMPs. In addition to the preceding amounts, districts receive funding for staff through appropriations language that enables 8% of the amount deposited in the Virginia Natural Resources Commitment Fund or \$1.2 million –whichever is greater, to support technical staff of SWCDs that are performing assistance with implementation of agricultural BMPs. The combined total for technical assistance funding in FY11 is \$2,912,499

2. Conservation Partner Employee Development The conservation partners continue to work through the Joint Employee Development or “JED” system which relies on 4 regional teams (coordinated through a separate state level JED team) to address training and development of SWCD and other partner agency field staff. The last quarterly meeting of the state JED group was held as a conference call on September 2nd, 2010.

The state level JED team continues to focus on the delivery of 3 “core courses”. The short course “Conservation Selling Skills” has been held at least annually for the past 9 years. The course is scheduled for delivery on October 26-27, 2010 at the Central Virginia Community College in Lynchburg. Registration will be accepted through October 13th. Delivery of this class is depending upon sufficient course enrollment. NRCS is supporting delivery of the EP&I (Effective Presentation and Instruction) short course. Teams of trainers to deliver the course have been established. Each of the 4 JED regions has a training team for this course consisting of 3 individuals. Two of the 4 teams have delivered the course within their region of the state. The other 2 teams will deliver the course in their regions during the months to come. The third “core course” –Conservation Orientation for New Employees is available for regional delivery. However, since the course was last offered in February, 2007 it is believed there has been sufficient turnover of SWCD and conservation partner staff to offer the week long course. The state level JED team will revisit discussion about delivery of this course later this year or possibly early in 2011. Delivery in the Richmond area would minimize travel by the majority of trainers from NRCS and conservation partners.

The next meeting of the JED state team will be held as a conference call on December 15th at 2:00 p.m.

3. SWCD Dams: The SWCD dam owner work group comprised of representatives from the 12 SWCDs that own dams, DCR, NRCS and others, continues to meet approximately every 3 months (generally a quarterly schedule). Of the roughly 4 meetings per year, one session is focused on Emergency Action Plans (EAPs), another addresses routine annual maintenance of district dams and the remaining two meetings address the priority topics identified by the group. The group last met on August 4th, 2010. The group received an update on use of the \$20 million in bond funds for State Park and SWCD owned dams. Other discussion topics included updates from DCR and NRCS staff on topics that included Emergency Action Planning, changes to state dam guidance on regulated dams, collaboration with USDA's federal dam rehabilitation program and others. The next meeting of the dam owner work group is scheduled January 27th, 2011 in Charlottesville.

4. VA Agricultural BMP Cost Share (VACS) Program: The VA Agricultural BMP Cost Share Program Technical Advisory Committee (TAC) held its first meeting of the current program year on August 19, in Charlottesville. This meeting focused on development of a program of work based upon suggested changes to the next program year. Possible program changes were resolved and the TAC assigned potential changes to subcommittees. The subcommittees will examine the suggested revisions and bring recommendations back to the full TAC for discussions and actions. Discussion on changes to the coming program year (beginning July 1, 2011) will continue into the spring of 2011.

Agricultural BMP Tracking Program: Phase 1 of the modernization of the Ag BMP Tracking program is complete. WorldView continues to work on Phase 2 improvements with many enhancements already being used by districts. These Phase 2 enhancements will be completed by late October (2010). Additional training opportunities for program users are being discussed. Dates for webinar training sessions are being explored. These webinar trainings will enable users to fully understand and make use of all of the new program features.

CREP: Overall approximately 1,800 acres in the southern rivers and less than 10,000 acres in the Chesapeake Bay remain available for CREP riparian buffer enrollment to achieve goals established by Virginia and USDA. DCR, NRCS, FSA and the Dept. of Forestry have met several times in recent months and have come to an agreement about modifying CREP recommended buffer planting species and a process focused on reducing buffer canopy closure timelines for CREP buffers. CREP rallies are being planned for January, 2011 to roll out the new buffer planting guidelines and promote the availability of CREP as a program available to meet producer's conservation needs during times of state budget cuts.

5. Nutrient Management: Three continuing education training meetings were held to update and educate certified planners on research projects and the role the nutrient management program may have in the Chesapeake Bay TMDL. A total of seventy-three certified planners attended these sessions. A direct payment program for certified private planners that prepare plans for certain permitted operations has been initiated. As this effort is expanded it will relieve SWCDs of managing the plan writing practice and will streamline payments to planners. Ultimately it is anticipated that this approach will increase plans developed by private planners and enable the Nutrient Management Program to gather more detailed plan data from certified private planners.

A meeting of DCR nutrient management staff was held in early September. Nutrient management specialists and other program staff were updated on plans for nutrient management Ag and Turf & Landscape training schools, trends in manure nutrient content, and a report on the observations of the biosolids field inspections. Presentations were delivered on topics that included Well Locations issues for Stream Exclusions, Stream Exclusion benefits in Smyth Creek, a report on the Guided Corn Stalk Nitrate Testing project and Quail Improvement & Habitat Restoration for Farmers

6. DCR TMDL Activities: Currently DCR is working on six TMDL implementation plans in the following watersheds across the Commonwealth: Christians Creek and South River (Augusta County and City of Waynesboro); Cherrystone Inlet and Kings Creek (Northampton County); Hays Creek, Moffatts Creek, Otts Creek, and Walker Creek (Augusta and Rockbridge Counties); Slate River (Buckingham County); Brown, Craig and Marsh Runs (Fauquier County), and Little Dark Run and Robinson River (Madison County). To date a total of 42 implementation plans (IP) have been completed in Virginia that address 133 impaired stream segments or water bodies. The Lewis Creek (Russell County) plan was completed in August. Eighty four of these impaired stream areas are receiving targeted TMDL implementation funds to implement agricultural BMPs (federal and/or state funds), and residential and urban BMPs (federal funds). Scoring criteria for prioritizing shellfish TMDLs for IP development have been drafted. The Shellfish TMDL Implementation Technical Advisory Committee, co-facilitated by DCR and VDH-Division of Shellfish Sanitation, will re-convene for several meetings this fall.

DCR is working with NRCS to track and report EQIP and FSA BMPs that are funded by NRCS and FSA and installed in the 25 TMDL implementation projects across the state. These practices will be reported to DCR on a quarterly basis.

7. Chesapeake Bay TMDL: Virginia's draft Watershed Implementation Plan (WIP) was submitted to EPA on September 3, 2010. EPA is reviewing WIPs from all Bay states and will be discussing comments with each state. The WIP proposes sector allocations by basin. Virginia submitted an "input deck" of proposed BMP coverage that included a very high level of implementation of the 5 priority practices (up to 95% for some) and high levels for a number of other agricultural practices. The input deck proposed implementation of septic practices and urban stormwater practices at the "E3" (Everything, Everywhere by Everyone) level, which for example, implies that every

septic tank in the watershed would be retrofit with 50% nitrogen reduction technology and all existing urban land would either have impervious cover reduced or be retrofitted with high efficiency BMPs. In lieu of these drastic actions, the WIP proposes an alternative that offset credits could be obtained by owners of septic systems or localities / MS4 permittees through a possible expansion of the nutrient credit exchange. The primary source of credits would be expected to be sewage treatment plants with excess capacity. In the submitted draft WIP, sewage treatment plant loads were held constant for significant plants, but smaller “nonsignificant” plants had increased loads in the WIP.

EPA is holding public meetings on the Bay TMDL and the WIPs after the comment period begins on September 24. Meetings in Virginia are as follows:

- October 4, 6-8 pm: Grafton Theatre, James Madison University, 281 Warren Service Drive, Harrisonburg, VA
- October 5, 6-8 pm: Northern Virginia Community College, Annandale Campus, Ernst Community Cultural Center, 8333 Little River Turnpike, Annandale, VA
- October 6, 6-8 pm: Robins Pavilion, Jepson Alumni Center, University of Richmond, 28 Westhampton Way, Richmond, VA
- October 7, 6-8 pm: Crowne Plaza Hampton Marina Hotel, 700 Settlers Landing Road, Hampton, VA

During the meetings, EPA will discuss their progress on developing the TMDL. The states and D.C. will provide an overview of the preliminary Watershed Implementation Plans submitted to EPA. EPA and the jurisdictions will also take public comments on both. The official EPA website for Bay TMDL information is: www.epa.gov/chesapeakebaytmdl/ . DCR’s website for the Bay TMDL is: <http://www.dcr.virginia.gov/sw/baytmdl.shtml>